

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Rinze BENEDICTUS et al.

Application No.: 10/821,184

Group Art Unit: 1793

Filed: April 9, 2004

Examiner: Janelle Combs-Morillo

TITLE: AN Al-Zn-Mg-Cu ALLOY WITH IMPROVED DAMAGE TOLERANCE-STRENGTH COMBINATION PROPERTIES

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

This subject Information Disclosure Statement (IDS) is submitted in connection with applicants' continuing duty of disclosure under 37 C.F.R. §1.56. Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account 14.1437. Please credit any excess fees to such account.

Statement under 37 C.F.R. §1.97(e): A non-final Office action was mailed on September 3, 2008. This IDS is submitted pursuant to 37 C.F.R. §1.97(c)(1), along with the following statement according to 37 C.F.R. §1.97(e)(1): Each item of information contained in this IDS was first cited in a communication, dated July 01, 2008, from the Russian Patent Office in a counterpart foreign (Russian) application.

RELEVANT DOCUMENTS

The relevant documents are listed in the attached Form PTO/SB/08.

The references cited in this IDS are:

1. V.I. Dobatkin, Smelting and Casting of Aluminum Alloys, Moscow, "Metallurgy," 1970, p. 27; and
2. The Russian State Standard GOST 4784-97. Aluminum and wrought aluminum alloys. Grades, Minsk, Publisher of Standards, 1999, p. 7, 8, table 6.

References 1 and 2 were cited by the Russian Patent Office in an Office action dated July 01, 2008. English language translations of References 1 and 2 are not readily available. An English language translation of the Russian Office action dated July 01, 2008 is attached to provide the required "concise explanation of the relevance, as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the information"¹ of References 1 and 2.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made, or an admission that the information cited is, or is considered to be, material to patentability, or that the information is analogous to the subject matter of the present invention, or that no other material information exists. Further, the filing of this information disclosure statement shall not be construed as an admission against interest in any manner.

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Respectfully submitted,
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¹ 37 C.F.R. §1.98 (a)(3)(i).